

C H A P.
XXXIX.
be called to
Account for
the same
yearly.
Guardians
failing herein
shall be ac-
countable.
Penalty on
Courts neg-
lecting their
Duty.

or otherwise, neglected to recover the same, or hath received, and never accounted for the same? And shall, with the Residue of the said Estate, commit the said desperate Debts to the Care of the said Guardian, or other Trustees, by them employed; and shall Yearly, and every Year, call the said Guardians to Account for the same, and duly inspect what of the said Debts they have received, or might have received. And if the said Guardian or Trustee fails to give in his Account Yearly, or by Fraud or Covin neglect or forbear to recover the same, the said Guardian or Trustee shall stand and be accountable for every such Debts by them received, and not accounted for, or neglected or forborn to be recovered; under the Penalty of Five Hundred Pounds of Tobacco each Justice present in Court, one Half to his Majesty, the other Half to the Informer, or him or them that shall sue for the same, to be recovered as aforesaid.

County
Courts to
take Security,
and inspect it
yearly, &c.

XX. **Tenth.** That the Justices of the County Courts take able and sufficient Security for Orphans Estates, and enquire Yearly of the Security; and if there be just Cause, that they require new and better Security; and, upon Refusal to give new and better Security, that they remove the Orphans Estates out of their Hands.

By 1729, *ch. 24, §. 6*, the County Courts, as often as they find it necessary, may demand new or better Security for any Orphan's Estate; and, in case of the Guardian's Refusal thereof, shall immediately remove such Orphan's Person and Estate into other Hands. And, in case of Refusal to obey their Order of Removal, may issue Attachment, &c. against such Guardian to answer the Contempt, and commit him to Prison till such Order be complied with, &c. And by 1752, *ch. 3, §. 4*, the Court is invested with the like Power over Guardians chosen by Orphans.

An Orphan
Jury to be ap-
pointed every
June Court.

Their Oath
of Inquifi-
tion.

In what Cafes
Orphans shall
be removed
to other
Guardians or
Masters.
Penalty on
the Masters.

XXI. **And further,** That the Justices of the County Courts, shall Yearly, in *June* Court, enquire by a Jury of good and lawful Men, to be summoned out of the several Hundreds of the County, not under the Number of Twelve, who, upon their Oaths, shall enquire, according to the Form hereafter expressed, *viz.* "Whether the Orphans be kept, maintained and educated, according to their Estates? And whether Apprentices are taught their Trade, or rigorously used, and turned to common Labour at the Axe or Hoe, instead of learning their Trades?" And if they find that Orphans are not maintained and educated according to their Estates, or Apprentices neglected to be taught their Trades, upon Pretence that the last Year is enough to learn their Trade, that they remove them to other Guardians and Masters. And in case the Jury find that any Apprentice is not taught his Trade, but put to other Labour as aforesaid, the County Court shall condemn the Master of such Apprentice to make the Apprentice such Satisfaction, as in Justice his Years of Labour, or other Work, shall deserve.

Guardians
Bonds to be
recorded, and
likewise In-
dentures of
Apprentices.
County Clerk
to lay a List
of Orphans
before the
Jury every
June Court.

XXII. **Eleventh.** That the Justices of the County Courts cause the Condition of the Bonds they take from Guardians or Trustees of Orphans Estates, to be exactly drawn according to this Act, and recorded in the County Court, and the Indentures for Apprentices likewise; that it may duly appear to the Justices, whether Guardians, Trustees and Masters, do Right and Justice to Apprentices, and to the Country; and that the Justices do Right between them. And to that End, that they cause the Clerk of their County to present the Jury with a List of the Orphans and Apprentices of their County, every *June* Court.

10 per Cent,
to be allowed
Executors
&c. for all
Sums of Mo-
ney, Tobac-
co, &c. by
them paid.
(The Residue
excepted. See
§. 26.)

XXIII. **Twelfth.** And for better ascertaining what Salary shall be allowed Executors and Administrators, upon their Account of Administration, by the Commissary-General of this Province, for their Pains and Trouble, Hazard and Adventures in administering Estates; **Be it Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid,** That for every Sum or Sums of Money, Quantity or Quantities of Tobacco, or other Goods or Chattels, that shall be *bonâ Fide* paid by Executors or Administrators, the
Commissary-